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ATTORNEYS FOR PLAINTIFFS

HORIZON TOWER LIMITED, LLC

and HORIZON TOWER, LLC

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF WYOMING**

HORIZON TOWER LIMITED, LLC and HORIZON  
TOWER, LLC,

Plaintiffs,

v.

PARK COUNTY, WYOMING; BOARD OF  
COUNTY COMMISSIONERS OF PARK COUNTY,  
WYOMING; DOSSIE OVERFIELD, LLOYD  
THIEL, LEE LIVINGSTON, SCOTT MANGOLD,  
and SCOTT STEWARD, in their official capacity as  
Members of the Board of County Commissioners for  
Park County, Wyoming;

Defendants

Civil Action No.: Case No. 23-CV-  
0037-ABJ

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**UNCONTESTED MOTION FOR EXTENSION OF TIME FOR PARTIES TO FILE  
MOTIONS AND RESPONSES**

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Pursuant to Fed. R. Civ. P. 6(b) and Local Rule 6.1(d), Plaintiffs Horizon Tower Limited,  
LLC and Horizon Tower, LLC (collectively, “Horizon”), by and through the undersigned counsel,

respectfully move the Court for entry of the attached Order extending by one week the time for both parties to file motions, and the subsequent briefing schedule, in the above-captioned proceeding. Horizon's Motion is supported by opposing counsel.

Under the Order on Initial Pretrial Conference entered by this Court (Dkt No. 22), dispositive motions (item 15) and all other pretrial motions (item 18) are due November 8, 2023, responses are due December 1, 2023 (items 16, 19), and replies are due December 11, 2023 (items 17, 20). Horizon, with the County's concurrence, seeks a minor amendment to the schedule adjusting only the deadlines for briefing (items 15-20), with no other changes to the Scheduling Order.

An extension of time is reasonable and necessary due to delays in obtaining transcripts of the County's public hearings related to Horizon's application for a special use permit, the denial of which is a central issue in this case. Both parties will rely, at least in part, on the contents of those transcripts to develop their legal and factual arguments supporting summary judgment.

Wherefore, the Court should grant this Motion and amend the Initial Pretrial Conference entered by this Court (Dkt No. 22) to reflect the new schedule would be as follows:

- Dispositive motions and all other pretrial motions due on November 15, 2023.
- Responses to dispositive motions and all other pretrial motions due on December 8, 2023.
- Replies to dispositive motions and all other pretrial motions due on December 18, 2023.

DATED: October 31, 2023.

Respectfully submitted,

/s/ Isaac N. Sutphin

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 31st day of October 2023, a copy of the foregoing MOTION FOR EXTENSION OF TIME was electronically filed and served via the CM/ECF system upon counsel of record in this case:

BRYAN A. SKORIC, Park County Attorney  
JACK R. HATFIELD II, Deputy Park County Attorney  
1002 Sheridan Avenue  
Cody, Wyoming, 82414

*/s/ Isaac N. Sutphin*  
Isaac N. Sutphin, P.C.

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